

Brian P. Scibetta, Esq. – BS8008  
BUCKLEY MADOLE, P.C.  
420 Lexington Avenue, Suite 840  
New York, NY 10170  
Telephone: 347-286-7409  
Fax: 347-286-7414

Attorneys for Defendants, JPMorgan Chase Bank, National Association  
and Wells Fargo Bank National Association, as Trustee for Carrington Mortgage  
Loan Trust, Series 2007-FRE1, Asset-Backed Pass Through Certificates

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

NICOLE JOHNSON-GELLINEAU,

Plaintiff,

v.

STIENE & ASSOCIATES, P.C.;  
CHRISTOPHER VIRGA, ESQ.; RONNI  
GINSBERG, ESQ.; JPMORGAN CHASE  
BANK, NATIONAL ASSOCIATION;  
WELLS FARGO BANK NATIONAL  
ASSOCIATION, AS TRUSTEE FOR  
CARRINGTON MORTGAGE LOAN  
TRUST, SERIES 2007-FRE1, ASSET-  
BACKED PASS-THROUGH  
CERTIFICATES,

Defendants.

*Document filed electronically*

Civil Action No. 7:16-cv-09945-KMK

**NOTICE OF MOTION TO DISMISS THE  
COMPLAINT PURSUANT TO  
FED. R. CIV. P. 12(b)(6)**

TO: Nicole Johnson-Gellineau, *pro se*  
149 Wilkes Street  
Beacon, NY 12508  
*Pro Se Plaintiff*

Matthew J. Bizzaro, Esq.  
L'Abbate, Balkan, Colavita & Contini, L.L.P.  
1001 Franklin Avenue  
Garden City, New York 11530  
*Counsel for Defendants, Stiene & Associates,  
P.C., Christopher Virga, Esq., and Ronni  
Ginsberg, Esq.*

**PLEASE TAKE NOTICE** that Defendants, JPMorgan Chase Bank, National Association  
and Wells Fargo Bank National Association, as Trustee for Carrington Mortgage Loan Trust,

Series 2007-FRE1, Asset-Backed Pass Through Certificates (collectively, “Defendants”), by and through their attorneys, shall move before the Hon. Kenneth M. Karas, U.S.D.J. in accordance with the July 17, 2017 Motion Scheduling Order, for an Order granting Defendants’ Motion to Dismiss with Prejudice the Complaint filed by Plaintiff, Nicole Johnson-Gellineau, pursuant to Fed. R. Civ. P. 12(b)(6).

**PLEASE TAKE FURTHER NOTICE** that in support of this Motion, Defendants will rely upon the accompanying Memorandum of Law and Declaration of Brian P. Scibetta, Esq.

**PLEASE TAKE FURTHER NOTICE** that oral argument on the Motion will be on a date and at a time designated by the Court.

Respectfully submitted,

**BUCKLEY MADOLE, P.C.**

By: /s/ Brian P. Scibetta  
Brian P. Scibetta

Dated: August 11, 2017